amendment No. 676 proposed to H.R. 1836, supra.

At the request of Mr. REID, his name was added as a cosponsor of amendment No. 676 proposed to H.R. 1836, supra.

At the request of Mr. WELLSTONE, his name was added as a cosponsor of amendment No. 676 proposed to H.R. 1836, supra.

AMENDMENT NO. 685

At the request of Mr. BAYH, the names of the Senator from Missouri (Mrs. CARNAHAN) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of amendment No. 685 proposed to H.R. 1836, a bill to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL (for himself, Ms. SNOWE, Mr. BAYH, Mr. GRAHAM, Mr. JOHNSON, Mr. LIEBERMAN, Mr. ROCKEFELLER, Mr. BREAUX, and Mrs. LINCOLN):

S. 916. A bill to provide more child support money to families leaving welfare, and for other purposes; to the Committee on Finance.

Mr. KOHL. Mr. President, I rise today to introduce the Children First Child Support Reform Act of 2001, and I want to thank Senators SNOWE, BAYH, GRAHAM, JOHNSON, LIEBERMAN, ROCKEFELLER, BREAUX and LINCOLN for cosponsoring. I am also pleased to cosponsor Senator SNOWE's Child Support Distribution Act of 2001, which includes the ''Children First'' component as well as other provisions to improve child support collections and enforcement. I applaud Senator SNOWE for her continued leadership on this important issue.

The ''Children First'' bill takes significant steps toward ensuring that children receive the child support money they are owed and deserve. In Fiscal Year 1999, the public child support system collected child support payments for only 37 percent of its caseload, up from 23 percent in 1998. Obviously, we still need to improve, but States are making real progress. It's time for Congress to take the next step and help States overcome a major obstacle to collecting child support for families.

There are many reasons why non-custodial parents may not be paying support for their children. Some are not able to pay because they don't have jobs or have fallen on hard times. Others may not pay because they are unfairly prevented from spending time with their children.

But other fathers don't pay because the public system actually discourages them from paying. Under current law, over $2 billion in child support is retained every year by the State and Federal governments as repayment for welfare benefits, rather than delivered to the children to whom it is owed. Since the money doesn't benefit their kids, fathers are discouraged from paying support. And mothers have no incentive to push for payment since the support doesn't go to them.

It's time for Congress to change this system and encourage States to distribute more child support to families. My home State of Wisconsin has already been doing this for several years and is seeing great results. In 1997, I worked with my State to institute an innovative program of passing through child support payments directly to families. A recent evaluation of the Wisconsin program clearly shows that when child support payments are delivered to families, non-custodial parents are more apt to pay, and to pay more. In addition, Wisconsin has found that, overall, this policy does not increase government costs. That makes sense because ''passing through'' support payments to families means they have more of their own resources, and are less apt to depend on public help to meet other needs such as food, transportation or child care.

We now have a key opportunity to encourage all States to follow Wisconsin's example. This legislation gives States options and strong incentives to send more child support directly to families who are working their way off, or are already off, public assistance. Not only will this create the right incentives for non-custodial parents to pay, but it will also simplify the job for States, who currently face an administrative nightmare in following the complicated rules of the current system.

We know that creating the right incentives for non-custodial parents to pay support and increasing collections has long-term benefits. People who can count on child support are more likely to stay in jobs and stay off public assistance.

This legislation finally brings the Child Support Enforcement program into the post-welfare reform era, shifting its focus from recovering welfare costs to increasing child support to families so they can sustain work and maintain self-sufficiency. After all, it's only fair that if we are asking parents to move off welfare and take financial responsibility for their families, then we in Congress must make sure that child support payments actually go to the families to whom they are owed and who are working so hard to succeed.

Last year, a House version of this bill passed by an overwhelming bipartisan vote of 405 to 18, and a similar version has been reintroduced this year. My legislation has also been included in Senator SNOWE's Child Support Distribution Act, and the bipartisan ''Strengthening Working Families Act, both of which I am proud to be an original cosponsor.

I was also greatly encouraged by the statements made by Secretary Thompson at the Labor, Health and Human Services, Education and Related Agencies Appropriations hearing on April 25, 2001, in which the Secretary spoke about the success of Wisconsin's program and expressed his support for this approach. I am hopeful that the Administration will be able to fully support this legislation, as I believe it is consistent with the President's goal of making sure that families, not the government, keep more of the money they earn and deserve.

We must keep this bipartisan momentum going in this Congress. It's time that we finally make child support meaningful for families, and make sure that children get the support they need and deserve.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 916

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Children First Child Support Reform Act of 2001''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. MODIFICATION OF RULE REQUIRING ASSIGNMENT OF SUPPORT RIGHTS AS A CONDITION OF RECEIVING TANF.

Section 408(a)(3) of the Social Security Act (42 U.S.C. 608(a)(3)) is amended to read as follows:

''(3) NO ASSISTANCE FOR FAMILIES NOT ASSIGNING CERTAIN SUPPORT RIGHTS TO THE STATE.—A State to which a grant is made under section 403 shall require, as a condition of paying assistance to a family under the State program funded under this part, that a member of the family assign to the State any rights the family member may have (on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance) to support from any other person, not exceeding the total amount of assistance so paid to the family, which accrues during the period that the family receives assistance under the program.''.

SEC. 3. INCREASING CHILD SUPPORT PAYMENTS TO FAMILIES AND SIMPLIFYING CHILD SUPPORT DISTRIBUTION RULES.

(a) DISTRIBUTION RULES.—

(1) IN GENERAL.—Section 457(a) of the Social Security Act (42 U.S.C. 657(a)) is amended to read as follows:

''(a) IN GENERAL.—Subject to subsections (e) and (f), the amounts collected on behalf

of a family as support by a State under a plan approved under this part shall be distributed as follows:

''(1) FAMILIES RECEIVING ASSISTANCE.—In the case of a family receiving assistance from the State, the State shall—

''(A) pay to the Federal Government the Federal share of the amount collected, subject to paragraph (3)(A);

''(B) retain, or pay to the family, the State share of the amount collected, subject to paragraph (3)(B); and

''(C) pay to the family any remaining amount.

''(2) FAMILIES THAT FORMERLY RECEIVED ASSISTANCE.—In the case of a family that formerly received assistance from the State:

''(A) CURRENT SUPPORT.—To the extent that the amount collected does not exceed the current support amount, the State shall pay the amount to the family.

''(B) ARREARAGES.—Except as otherwise provided in the State plan approved under section 454, to the extent that the amount collected exceeds the current support amount, the State—

''(i) shall first pay to the family the excess amount, to the extent necessary to satisfy support arrearages not assigned under section 408(a)(3);

''(ii) if the amount collected exceeds the amount required to be paid to the family under clause (i), shall—

''(I) pay to the Federal Government, the Federal share of the excess amount described in this clause, subject to paragraph (3)(A); and

''(II) retain, or pay to the family, the State share of the excess amount described in this clause, subject to paragraph (3)(B); and

''(iii) shall pay to the family any remaining amount.

''(3) LIMITATIONS.—

''(A) FEDERAL REIMBURSEMENTS.—The total of the amounts paid by the State to the Federal Government under paragraphs (1) and (2) with respect to a family shall not exceed the Federal share of the amount assigned with respect to the family under section 408(a)(3).

''(B) STATE REIMBURSEMENTS.—The total of the amounts retained by the State under paragraphs (1) and (2) with respect to a family shall not exceed the State share of the amount assigned with respect to the family under section 408(a)(3).

''(4) FAMILIES THAT NEVER RECEIVED ASSISTANCE.—In the case of any other family, the State shall pay the amount collected to the family.

''(5) FAMILIES UNDER CERTAIN AGREEMENTS.—Notwithstanding paragraphs (1) through (4), in the case of an amount collected for a family in accordance with a cooperative agreement under section 454(33), the State shall distribute the amount collected under the terms of the agreement.

''(6) STATE FINANCING OPTIONS.—To the extent that the State share of the amount payable to a family under paragraph (2)(B) exceeds the amount that the State estimates (under procedures approved by the Secretary) would have been payable to the family under former section 457(a)(2)(B) (as in effect for the State immediately before the date on which this subsection, as amended by the Children First Child Support Reform Act of 2001, first applies to the State) if such former section had remained in effect, the State may elect to use the grant made to the State under section 403(a) to pay the amount, or to have the payment considered a qualified State expenditure for purposes of section 409(a)(7), but not both.

''(7) STATE OPTION TO PASS THROUGH ADDITIONAL SUPPORT WITH FEDERAL FINANCIAL PARTICIPATION.—

''(A) IN GENERAL.—Notwithstanding paragraphs (1) and (2), a State shall not be required to pay to the Federal Government the Federal share of an amount collected on behalf of a family that is not a recipient of assistance under the State program funded under part A, to the extent that the State pays the amount to the family.

''(B) RECIPIENTS OF TANF FOR LESS THAN 5 YEARS.—

''(i) IN GENERAL.—Notwithstanding paragraphs (1) and (2), a State shall not be required to pay to the Federal Government the Federal share of an amount collected on behalf of a family that is a recipient of assistance under the State program funded under part A and, if the family includes an adult, that has received the assistance for not more than 5 years after the date of enactment of this paragraph, to the extent that—

''(I) the State pays the amount to the family; and

''(II) subject to clause (ii), the amount is disregarded in determining the amount and type of the assistance provided to the family.

''(ii) LIMITATION.—Of the amount disregarded as described in clause (i)(II), the maximum amount that may be taken into account for purposes of clause (i) shall not exceed $400 per month, except that, in the case of a family that includes 2 or more children, the State may elect to increase the maximum amount to not more than $600 per month.

''(8) STATES WITH DEMONSTRATION WAIVERS.—Notwithstanding the preceding paragraphs, a State with a waiver under section 1115 that became effective on or before October 1, 1997, the terms of which allow passthrough of child support payments, may pass through such payments in accordance with such terms with respect to families subject to the waiver.''.

(2) STATE PLAN TO INCLUDE ELECTION AS TO WHICH RULES TO APPLY IN DISTRIBUTING CHILD SUPPORT ARREARAGES COLLECTED ON BEHALF OF FAMILIES FORMERLY RECEIVING ASSISTANCE.—Section 454 of the Social Security Act (42 U.S.C. 654) is amended—

(A) by striking ''and'' at the end of paragraph (32);

(B) by striking the period at the end of paragraph (33) and inserting ''; and''; and

(C) by inserting after paragraph (33) the following:

''(34) include an election by the State to apply section 457(a)(2)(B) or former section 457(a)(2)(B) (as in effect for the State immediately before the date this paragraph, as amended by the Children First Child Support Reform Act of 2001, first applies to the State) to the distribution of the amounts which are the subject of such sections, and for so long as the State elects to so apply such former section, the amendments made by section 2 of the Children First Child Support Reform Act of 2001 shall not apply with respect to the State, notwithstanding section 6(a) of such Act.''.

(3) APPROVAL OF ESTIMATION PROCEDURES.—Not later than October 1, 2002, the Secretary of Health and Human Services, in consultation with the States (as defined for purposes of part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.)), shall establish the procedures to be used to make the estimate described in section 457(a)(6) of such Act (42 U.S.C. 657(a)(6)).

(b) CURRENT SUPPORT AMOUNT DEFINED.—Section 457(c) of the Social Security Act (42 U.S.C. 657(c)) is amended by adding at the end the following:

''(5) CURRENT SUPPORT AMOUNT.—The term 'current support amount' means, with respect to amounts collected as support on behalf of a family, the amount designated as the monthly support obligation of the noncustodial parent in the order requiring the support.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 404(a) of the Social Security Act (42 U.S.C. 604(a)) is amended—

(A) by striking ''or'' at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(C) by adding at the end the following:

''(3) to fund payment of an amount under section 457(a)(2)(B), but only to the extent that the State properly elects under section 457(a)(6) to use the grant to fund the payment.''.

(2) Section 409(a)(7)(B)(i) of the Social Security Act (42 U.S.C. 609(a)(7)(B)(i)) is amended—

(A) in subclause (I)(aa), by striking ''457(a)(1)(B)'' and inserting ''457(a)(1)''; and

(B) by adding at the end the following:

''(V) PORTIONS OF CERTAIN CHILD SUPPORT PAYMENTS COLLECTED ON BEHALF OF AND DISTRIBUTED TO FAMILIES NO LONGER RECEIVING ASSISTANCE.—Any amount paid by a State under section 457(a)(2)(B), but only to the extent that the State properly elects under section 457(a)(6) to have the payment considered a qualified State expenditure.''.

SEC. 4. STATE OPTION TO DISCONTINUE CERTAIN SUPPORT ASSIGNMENTS.

Section 457(b) of the Social Security Act (42 U.S.C. 657(b)) is amended by striking ''shall'' and inserting ''may''.

SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this section shall take effect on October 1, 2005, and shall apply to payments under parts A and D of title IV of the Social Security Act (42 U.S.C. 601 et seq. and 651 et seq.) for calendar quarters beginning on or after such date, and without regard to whether regulations to implement the amendments (in the case of State programs operated under such part D) are promulgated by such date.

(b) STATE OPTION TO ACCELERATE EFFECTIVE DATE.—In addition, a State may elect to have the amendments made by section 2 or 3 apply to the State and to amounts collected by the State, on and after such date as the State may select that is after the date of enactment of this Act, by including an election to that effect in the State plan under part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.).

By Ms. COLLINS (for herself, Mr. BINGAMAN, Mr. GRASSLEY, Mr. DASCHLE, Mr. JEFFORDS, Mr. SARBANES, Mr. HARKIN, Mr. CORZINE, and Mr. LEAHY):

S. 917. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise to introduce the Civil Rights Tax Relief Act of 2001, a bill designed to promote the fair and equitable settlement of civil rights claims. I am very pleased to be joined today by Senators BINGAMAN, GRASSLEY, DASCHLE, JEFFORDS,

SARBANES, HARKIN, CORZINE, and LEAHY.

The primary purpose of this bill is to remedy an unintended consequence of the Small Business Job Protection Act of 1996, which made damage awards not based on ''physical injuries or physical sickness'' part of a plaintiff's taxable income. Because most acts of employment discrimination and civil rights violations do not cause physical injuries, this provision has had a direct and negative impact on plaintiffs who successfully prove that they have been subjected to intentional employment discrimination or other intentional violations of their civil rights. The problem is compounded by the fact that plaintiffs are now taxed on the entirety of their settlements or damage awards in civil rights cases, despite the fact that a portion of a settlement or award must be paid to the plaintiff's attorney, who in turn is taxed on the same funds! This double taxation of awards of attorneys' fees serves to penalize Americans who win their civil rights cases.

I would like to share one example of how individuals can be harmed by the current taxation scheme, and even discouraged from challenging workplace discrimination. The example was brought to my attention by David Webbert, an attorney who practices in Maine's capitol, Augusta. In the case, David represented a person who successfully challenged a business' policy of discriminating against persons with a particular type of disability. As a result of the case, the discriminatory policy was declared illegal and was ended. Although the plaintiff did not seek any monetary damages in the case, the law did provide for payment of attorney's fees, which were paid by the defendant's insurance company. Because of the current law's double taxation of attorney's fees, they were taxable to the plaintiff in this case, despite the fact that they were also taxable to the attorney. In short, plaintiffs in civil rights cases like this could have to pay taxes despite receiving no monetary award. Or, in other words, under current law, a plaintiff can be penalized financially for bringing a meritorious case against a company's discriminatory policies.

Our bill would eliminate the unfair taxation of civil rights victims' settlements and court awards; taxation that adds insult to a civil rights victim's injuries and serves as a barrier to the just settlement of civil rights claims.

Our bill would change the taxation of awards received by individuals that result from judgments in or settlements of employment discrimination cases. First, the bill excludes from gross income amounts awarded other than for punitive damages and compensation attributable to services that were to be performed, known as ''backpay'', or that would have been performed but for a claimed violation of law by the employer, known as ''frontpay''. Second, award amounts for frontpay or backpay would be included in income, but would be eligible for income averaging according to the time period covered by the award. This correction would allow individuals to pay taxes at the same marginal rates that would have applied to them had they not suffered discrimination. Third, the bill would change the tax code so that people who bring civil rights cases are not taxed on the portion of any award paid as fees to their attorney. This provision would eliminate the double-taxation of such fees, which would still be taxable income to the attorney.

The Civil Rights Tax Relief Act would encourage the fair settlement of costly and protracted litigation of employment discrimination claims. Our legislation would allow both plaintiffs and defendants to settle claims based on the damages, not on excessive taxes that are now levied.

Our bill has been endorsed by the U.S. Chamber of Commerce, the Leadership Conference on Civil Rights, the American Small Business Alliance, AARP, the National Whistleblower Center, the National Employment Lawyers Association, numerous state and local bar associations and sections, including the Maine State Bar Association, Labor and Employment Section, and others. This bill is a ''win-win'' for civil rights plaintiffs and defendant businesses. We invite our colleagues to join with us in support of this common sense legislation.

By Ms. SNOWE (for herself, Mr. KOHL, Mr. BAYH, Mr. GRAHAM, Mr. JOHNSON, Mr. LIEBERMAN, Mr. ROCKFELLER, Mr. BREAUX, and Mrs. LINCOLN):

S. 918. A bill to provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce the Child Support Distribution Act. This is companion legislation to Congresswoman NANCY JOHNSON's bill in the House. I want to begin by thanking Senator KOHL for his leadership on child support issues; I am delighted to have been able to team up with him again in this important area.

I also want to thank Senator BAYH for his leadership on family issues. I am pleased that we could work together and incorporate each of our ideas in vital legislation which we have already introduced, the Strengthening Working Families Act. I am also pleased to have Senators GRAHAM, JOHNSON, LIEBERMAN, ROCKFELLER, BREAUX, LINCOLN, BAYH as original cosponsors on this bill.

There is no question that children are the very future of our country and I believe fundamentally that every child has the right to grow up healthy, happy, and safe. Throughout my career, promoting children's well-being and keeping our children safe is a mission that has been close to my heart. While we cannot expect the government to ensure that every child receives parental love and attention, we can ensure that the custodial parent, not the government, receives this vital financial support.

Ending poverty and promoting self-sufficiency is an on-going national commitment. Five years ago Congress restored welfare to a temporary assistance program, rather than a program that entangles and traps generation after generation. In September 2000, there were 5.7 million open TANF caseloads for individual recipients, down from 12.2 million, a 53 percent reduction, in August 1996 when Welfare Reform became law.

Unfortunately, while we are succeeding in promoting self-sufficiency and self-reliance through welfare reform, we are sending out a double-edged message on the need to pay child support. Current law regarding the assignment and distribution of child support for families on welfare is extremely complicated, depending on when families applied for welfare, when the child support was paid, whether that child support was for current or past-due payments, and depending on how the child support was collected, in other words, through direct payments, through garnishing wages or other government assistance programs, or the federal income tax return intercept program.

The ''Child Support Distribution Act of 2001'' would provide more child support money to families leaving welfare; would simplify the rules governing the assignment and distribution of child support collected by States; would improve the collection of child support; and would authorize demonstration programs encouraging public agencies to help collect child support; and provide guidelines for involvement of public agencies in child support enforcement.

Under current law, when child support is collected for families receiving Temporary Assistance for Needy Families, TANF, the money is divided between the state and federal governments as payment for the welfare the family has received. The 1996 Welfare Reform Act gave states the option to decide how much, if any, of the state share of child support payments collected on behalf of TANF families to send to the family.

The 1996 Welfare Reform law also required that in order to qualify for TANF benefits, beneficiaries must ''assign'', or give their child support rights to the state for periods before and

while the family is on welfare. This means that the State is allowed to keep, and divide with the federal government, child support arrearages that were owed even before the family went on TANF if they are collected while the family is receiving welfare benefits.

The original intent of these assignment and distribution strategies was to reimburse the state and federal governments for their outlays to the welfare family. But how much sense does it make to tell a family that is on welfare or trying to get off welfare that the State is entitled to the first cut of any child support payment, even if the absent parent begins to pay back the child support that was owed before the family went on welfare?

This means that the state gets the support before a parent can buy new shoes for her child, before she can buy her child a new coat for the approaching winter, before she can buy groceries for her family, or pay the rent for the next month. So in the real world, not just a policy-oriented world, our current law regarding child support payments provides a disincentive for struggling parents to leave welfare, and it certainly provides no incentive for the absent parent to pay, much less catch up with, their child support bills. I wonder how we can realistically expect to foster a positive relationship between a custodial parent, and the parent paying child support, when the State is entitled to all of the support money.

The key provisions of the bill I am introducing today will allow states to pass through the entire child support collected on their behalf while a person is on welfare; will change how and when child support is ''owed'' to the states for reimbursement for welfare benefits; and will expand the child support collection provisions such as revoking passports for past-due child support.

We must ensure both non-custodial and custodial parents that child support payments are directly benefitting their children. This bill will enable families to keep more of the past-due child support owed to them and it will further the goals of the 1996 Welfare Reform Act by helping families to remain self-sufficient. This bill will give mothers leaving welfare an additional $4 billion child support collections over the first five years of full implementation. It will also lead to the voluntary payment by states of about $900 million over five years in child support to families while they are still on welfare.

Children are the leaders of tomorrow; they are the very future of our great nation. We owe them nothing less than the sum of our energies, our talents, and our efforts in providing them a foundation on which to build happy, healthy and productive lives. And, when appropriate, we need to help parents financially support and provide for their children. Because it simply makes little sense to ask people to be self-sufficient, to pay their child-support bills, and then to allow the State to collect all of that child-support.

I encourage my colleagues to take a serious look at this bill and pass it this year.

By Mr. THURMOND:

S. 919. A bill to require the Secretary of Energy to study the feasibility of developing commercial nuclear energy production facilities at existing Department of Energy sites; to the Committee on Energy and Natural Resources.

Mr. THURMOND. Mr. President, one does not need to look much further than their mailbox and the bills they receive for filling the gas tank or heating the house to realize that the United States is in need of direction and leadership when it comes to an energy policy. I am pleased that President Bush and Vice President CHENEY have unveiled their energy plan and I look forward to working with the Administration on this important issue.

The President's National Energy Policy is a long term approach to addressing our Nation's energy challenges. The policy is a comprehensive plan to address the needs for additional energy production and environmental protection. It will promote energy efficiency and new technologies to modernize the Nation's energy infrastructure. The President's plan will help increase energy supply through clean coal technology, nuclear energy, renewable and alternative energy, and energy conservation. Now is the appropriate time to address these issues before a major energy crisis jeopardizes our economy, national security, and our standard of living.

I am especially pleased that the President highlighted production sources that have been ignored and shunned in recent years such as clean coal and nuclear power as energy sources which must again be embraced. This is a long overdue recognition of the valuable and important roles that nuclear and coal power can and must play in meeting the energy needs of the United States. These two energy sources have clear benefits. However, their increased role in meeting national needs will not be realized without challenge.

To be certain, plans to build any new nuclear production plants will be opposed by some quarters. Those who refuse to recognize the indispensable role of nuclear power will do everything to delay and undermine the construction of new production facilities. Essentially these anti-nuclear obstructionists will seek to create as many obstacles as they can. Past examples have witnessed lawsuits and intervener tactics that drove plant costs up by hundreds of percent and delayed the facility coming on line by decades.

Given such examples, it would certainly not seem that building new production facilities would be a financially appealing or rewarding proposition to a utility company. Yet the truth of the matter is that we desperately need to build new nuclear power production plants. Presently, the United States gets approximately 20 percent of its power from nuclear plants. Even under the most optimistic projections, the majority of the Nation's 103 nuclear power facilities will be coming to the end of their service in the coming years.

The question before us is how do we move forward with increasing this critical energy infrastructure but doing so in a more timely and cost-efficient manner than what took place in the past. The President's National Energy Policy Report recommends an expansion at existing utility power plant sites. I am pleased that the President addressed this issue. As the report states, many existing nuclear power sites have the capacity to include additional reactors. This is an outstanding initiative. However, I remain concerned that even with these new reactors at existing sites the total percentage of energy created by nuclear power will decrease. Such a scenario would only exacerbate the energy shortage for years to come. Ultimately, we must identify new sites for the safe expansion of nuclear energy. I believe the solution to this challenge is creating ''energy campuses'' at existing Department of Energy facilities throughout the United States. More specifically, I am proposing co-locating civilian power production facilities on Department of Energy reservations such as: Hanford; the Nevada Test Site; the Idaho National Environmental Engineering Laboratory; and, the Savannah River Site.

Creating such ''energy campuses'' would solve any number of problems associated with building a new civilian production facility. To begin, there is no need to secure new land or to convince the local populace that having a nuclear facility nearby is not a safety issue. Simply put, these are pro-nuclear communities that would welcome new industrial investment. Furthermore, it makes for a quicker and less contentious licensing process. Finally, it reduces the amount of new infrastructure required as you would be ''leveraging'' against what already exists at these locations.

The benefits of such a plan are multiple, not the least being that it would get nuclear power plants built and on line rapidly. Several are in the west, the Nevada Test Site, Idaho National Environmental Engineering Laboratory, and Hanford, Washington, and each would be able to directly or indirectly provide more power to energy

starved California. Furthermore, this plan guarantees long-term energy supply reliability while not contributing to greenhouse gases or depleting gas reserves.

These sites were ideal for locating nuclear projects fifty years ago, and they remain so to this day. It makes perfect sense to use these existing assets as a platform upon which to expand our civilian nuclear power production capabilities. I am certain that this ''energy campus'' plan offers something for everyone, and if the Bush Administration is going to move forward with relying more heavily on nuclear energy, then this initiative is one way in which to meet the goal of making certain the energy needs of the United States are met.

In order to take the first step toward establishing these energy campuses, I am introducing a bill that will direct the Secretary of Energy to undertake a study regarding the feasibility of establishing civilian nuclear power production facilities at existing Department of Energy sites.

The economy of the United States is dependent upon reasonably priced energy. It is what is required to power everything from the traditional service of bringing goods to market to running the computers upon which engineers make advances in the high technology industry. There is nothing that we touch that does not rely on energy, and the less expensive the energy is, the more reasonably priced the goods or services we are purchasing or using will be. Simply put, Americans enjoy, expect, and demand reasonably priced energy. If we are going to continue to provide this resource at an affordable rate, which is a goal we must meet in order to keep our economy the world's strongest and most diverse, then we are going to have to look for innovative ways in which to supply power. It is time once again to recognize the value of nuclear power production and to find ways to bring more of these facilities ''on-line'' as quickly as possible. Establishing energy campuses at Department of Energy reservations will meet these objectives and I am certain that my colleagues will join me in supporting this legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 919

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STUDY TO DETERMINE FEASIBILITY OF DEVELOPING COMMERCIAL NUCLEAR ENERGY PRODUCTION FACILITIES AT EXISTING DEPARTMENT OF ENERGY SITES.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study to determine the feasibility of developing commercial nuclear energy production facilities at Department of Energy sites in existence on the date of enactment of this Act, including—

(1) options for how and where nuclear power plants can be developed on existing Department of Energy sites;

(2) estimates on cost savings to the Federal Government that may be realized by locating new nuclear power plants on Federal sites;

(3) the feasibility of incorporating new technology into nuclear power plants located on Federal sites;

(4) potential improvements in the licensing and safety oversight procedures of nuclear power plants located on Federal sites;

(5) an assessment of the effects of nuclear waste management policies and projects as a result of locating nuclear power plants located on Federal sites; and

(6) any other factors that the Secretary believes would be relevant in making the determination.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under subsection (a).

By Mr. BREAUX (for himself, Mr. JEFFORDS, Mr. GRAHAM, Mr. CHAFEE, and Mr. LEVIN):

S. 920. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence; to the Committee on Finance.

Mr. BREAUX. Mr. President, I am honored to reintroduce today, along with my colleagues Senators JEFFORDS, GRAHAM, CHAFEE, and LEVIN, the ''Historic Homeownership Assistance Act of 2001''. This bill will provide the necessary incentive needed to help preserve, revitalize and restore our Nation's older and historic neighborhoods, which often form the core of many of our Nation's most distinct urban areas. During the 106th Congress, this legislation received bipartisan majority support in the House with 226 sponsors and enjoyed the support of 39 sponsors in the Senate. In the 107th, the House bill, H.R. 1172, sponsored by Rep. CLAY SHAW, H.R. 1172, is already endorsed by 72 Members to date.

This bipartisan proposal would create a historic homeowners tax credit directed toward housing stock in deteriorating neighborhoods and communities located in more than 11,000 Federal, State and local historic districts in all 50 states and the District of Columbia. It would allow homebuyers and homeowners to take a 40 percent federal tax credit on residential properties they rehabilitate for use as their primary residence. If enacted, a historic homeowners tax credit would be a useful tool to preserve historic neighborhoods and homes in small towns and urban areas; make homeownership more affordable for less affluent families; revitalize deteriorating older neighborhoods; strengthen the tax base for local governments; and combat sprawl and urban blight.

The number of properties eligible for the historic homeowners credit is approximately one third of the almost one million structures in historic districts nationwide, and 58 percent are located in census tracts with a poverty rate of 20 percent or greater. In Louisiana, 91 percent of the historic districts in the state overlap with census tracts with a rate of poverty of 20 percent or more, a figure much higher than the national average. My home state of Louisiana also has one of the highest concentrations of historic properties in the Nation. In a recent National Park Service survey, it was found that 109 National Register Historic Districts in the State contain 45,084 historic buildings. The Louisiana Division of Historic Preservation reports that of these 45,000 plus structures, 20 percent are in poor condition, 20 percent are in only fair condition and 60 percent are owner-occupied housing. The City of New Orleans alone is reported to have 30,000 vacant housing units, of which 10,000 would qualify for the historic homeownership tax credit.

I cannot emphasize enough how much enactment of this incentive would mean to my State and the Nation at large. This bill will make ownership of a rehabilitated older home more affordable for residents and homebuyers of modest means and incomes while increasing the tax base of our most economically distressed urban areas.

This legislation also includes unique provisions to assist developers and mortgage lenders in saving our most vulnerable historic neighborhoods. Under the bill, developers could rehabilitate historic properties, sell them, and pass the credit onto homebuyers. This feature would allow nonprofit housing providers to utilize the credit to further the goal of affordable homeownership. In addition, the bill offers an option to convert the tax credit to a mortgage credit certificate which could be transferred to a bank or mortgage lender to reduce the mortgage interest rate, lowering monthly mortgage payments to benefit low- and moderate-income families who do not have enough tax liability to use the credit. In Empowerment Zones, Enterprise Communities, Community Renewal areas and distressed census tracts, the credit could also be used to lower the cost of the down payment on a historic home.

America's priceless heritage is being threatened by urban sprawl as residents abandon the historic districts for the suburbs. The Historic Homeownership Assistance Act is an excellent incentive to aid in the restoration of our national, State and local historic districts that are currently threatened by abandonment and decay. It would encourage local residents to invest in their communities and give first time homebuyers an opportunity to move

into older neighborhoods. This bill will not only preserve our heritage, but also help local governments by putting deteriorated and abandoned properties back on the tax rolls. I strongly urge my colleagues to cosponsor this important piece of legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Historic Homeownership Assistance Act''.

SEC. 2. HISTORIC HOMEOWNERSHIP REHABILITATION CREDIT.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following new section:

''SEC. 25B. HISTORIC HOMEOWNERSHIP REHABILITATION CREDIT.

''(a) GENERAL RULE.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 20 percent of the qualified rehabilitation expenditures made by the taxpayer with respect to a qualified historic home.

''(b) DOLLAR LIMITATION.—

''(1) IN GENERAL.—The credit allowed by subsection (a) with respect to any residence of a taxpayer shall not exceed $40,000 ($20,000 in the case of a married individual filing a separate return).

''(2) CARRYFORWARD OF CREDIT UNUSED BY REASON OF LIMITATION BASED ON TAX LIABILITY.—If the credit allowable under subsection (a) for any taxable year exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under this subpart (other than this section), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.

''(c) QUALIFIED REHABILITATION EXPENDITURE.—For purposes of this section:

''(1) IN GENERAL.—The term 'qualified rehabilitation expenditure' means any amount properly chargeable to capital account—

''(A) in connection with the certified rehabilitation of a qualified historic home, and

''(B) for property for which depreciation would be allowable under section 168 if the qualified historic home were used in a trade or business.

''(2) CERTAIN EXPENDITURES NOT INCLUDED.—

''(A) EXTERIOR.—Such term shall not include any expenditure in connection with the rehabilitation of a building unless at least 5 percent of the total expenditures made in the rehabilitation process are allocable to the rehabilitation of the exterior of such building.

''(B) OTHER RULES TO APPLY.—Rules similar to the rules of clauses (ii) and (iii) of section 47(c)(2)(B) shall apply.

''(3) MIXED USE OR MULTIFAMILY BUILDING.—If only a portion of a building is used as the principal residence of the taxpayer, only qualified rehabilitation expenditures which are properly allocable to such portion shall be taken into account under this section.

''(d) CERTIFIED REHABILITATION.—For purposes of this section:

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the term 'certified rehabilitation' has the meaning given such term by section 47(c)(2)(C).

''(2) FACTORS TO BE CONSIDERED IN THE CASE OF TARGETED AREA RESIDENCES, ETC.—

''(A) IN GENERAL.—For purposes of applying section 47(c)(2)(C) under this section with respect to the rehabilitation of a building to which this paragraph applies, consideration shall be given to—

''(i) the feasibility of preserving existing architectural and design elements of the interior of such building,

''(ii) the risk of further deterioration or demolition of such building in the event that certification is denied because of the failure to preserve such interior elements, and

''(iii) the effects of such deterioration or demolition on neighboring historic properties.

''(B) BUILDINGS TO WHICH THIS PARAGRAPH APPLIES.—This paragraph shall apply with respect to any building—

''(i) any part of which is a targeted area residence within the meaning of section 143(j)(1), or

''(ii) which is located within an enterprise community or empowerment zone as designated under section 1391, or a renewal community designated under section 1400(e),

but shall not apply with respect to any building which is listed in the National Register.

''(3) APPROVED STATE PROGRAM.—The term 'certified rehabilitation' includes a certification made by—

''(A) a State Historic Preservation Officer who administers a State Historic Preservation Program approved by the Secretary of the Interior pursuant to section 101(b)(1) of the National Historic Preservation Act, or

''(B) a local government, certified pursuant to section 101(c)(1) of the National Historic Preservation Act and authorized by a State Historic Preservation Officer, or the Secretary of the Interior where there is no approved State program,

subject to such terms and conditions as may be specified by the Secretary of the Interior for the rehabilitation of buildings within the jurisdiction of such officer (or local government) for purposes of this section.

''(e) DEFINITIONS AND SPECIAL RULES.—For purposes of this section:

''(1) QUALIFIED HISTORIC HOME.—The term 'qualified historic home' means a certified historic structure—

''(A) which has been substantially rehabilitated, and

''(B) which (or any portion of which)—

''(i) is owned by the taxpayer, and

''(ii) is used (or will, within a reasonable period, be used) by such taxpayer as his principal residence.

''(2) SUBSTANTIALLY REHABILITATED.—The term 'substantially rehabilitated' has the meaning given such term by section 47(c)(1)(C); except that, in the case of any building described in subsection (d)(2), clause (i)(I) thereof shall not apply.

''(3) PRINCIPAL RESIDENCE.—The term 'principal residence' has the same meaning as when used in section 121.

''(4) CERTIFIED HISTORIC STRUCTURE.—

''(A) IN GENERAL.—The term 'certified historic structure' means any building (and its structural components) which—

''(i) is listed in the National Register, or

''(ii) is located in a registered historic district (as defined in section 47(c)(3)(B)) within which only qualified census tracts (or portions thereof) are located, and is certified by the Secretary of the Interior as being of historic significance to the district.

''(B) CERTAIN STRUCTURES INCLUDED.—Such term includes any building (and its structural components) which is designated as being of historic significance under a statute of a State or local government, if such statute is certified by the Secretary of the Interior to the Secretary as containing criteria which will substantially achieve the purpose of preserving and rehabilitating buildings of historic significance.

''(C) QUALIFIED CENSUS TRACTS.—For purposes of subparagraph (A)(ii)—

''(i) IN GENERAL.—The term 'qualified census tract' means a census tract in which the median income is less than twice the statewide median family income.

''(ii) DATA USED.—The determination under clause (i) shall be made on the basis of the most recent decennial census for which data are available.

''(5) REHABILITATION NOT COMPLETE BEFORE CERTIFICATION.—A rehabilitation shall not be treated as complete before the date of the certification referred to in subsection (d).

''(6) LESSEES.—A taxpayer who leases his principal residence shall, for purposes of this section, be treated as the owner thereof if the remaining term of the lease (as of the date determined under regulations prescribed by the Secretary) is not less than such minimum period as the regulations require.

''(7) TENANT-STOCKHOLDER IN COOPERATIVE HOUSING CORPORATION.—If the taxpayer holds stock as a tenant-stockholder (as defined in section 216) in a cooperative housing corporation (as defined in such section), such stockholder shall be treated as owning the house or apartment which the taxpayer is entitled to occupy as such stockholder.

''(8) ALLOCATION OF EXPENDITURES RELATING TO EXTERIOR OF BUILDING CONTAINING COOPERATIVE OR CONDOMINIUM UNITS.—The percentage of the total expenditures made in the rehabilitation of a building containing cooperative or condominium residential units allocated to the rehabilitation of the exterior of the building shall be attributed proportionately to each cooperative or condominium residential unit in such building for which a credit under this section is claimed.

''(f) WHEN EXPENDITURES TAKEN INTO ACCOUNT.—In the case of a building other than a building to which subsection (g) applies, qualified rehabilitation expenditures shall be treated for purposes of this section as made—

''(1) on the date the rehabilitation is completed, or

''(2) to the extent provided by the Secretary by regulation, when such expenditures are properly chargeable to capital account.

Regulations under paragraph (2) shall include a rule similar to the rule under section 50(a)(2) (relating to recapture if property ceases to qualify for progress expenditures).

''(g) ALLOWANCE OF CREDIT FOR PURCHASE OF REHABILITATED HISTORIC HOME.—

''(1) IN GENERAL.—In the case of a qualified purchased historic home, the taxpayer shall be treated as having made (on the date of purchase) the expenditures made by the seller of such home. For purposes of the preceding sentence, expenditures made by the seller shall be deemed to be qualified rehabilitation expenditures if such expenditures, if made by the purchaser, would be qualified rehabilitation expenditures.

''(2) QUALIFIED PURCHASED HISTORIC HOME.—For purposes of this subsection, the term

'qualified purchased historic home' means any substantially rehabilitated certified historic structure purchased by the taxpayer if—

''(A) the taxpayer is the first purchaser of such structure after the date rehabilitation is completed, and the purchase occurs within 5 years after such date,

''(B) the structure (or a portion thereof) will, within a reasonable period, be the principal residence of the taxpayer,

''(C) no credit was allowed to the seller under this section or section 47 with respect to such rehabilitation, and

''(D) the taxpayer is furnished with such information as the Secretary determines is necessary to determine the credit under this subsection.

''(h) HISTORIC REHABILITATION MORTGAGE CREDIT CERTIFICATE.—

''(1) IN GENERAL.—The taxpayer may elect, in lieu of the credit otherwise allowable under this section, to receive a historic rehabilitation mortgage credit certificate. An election under this paragraph shall be made—

''(A) in the case of a building to which subsection (g) applies, at the time of purchase, or

''(B) in any other case, at the time rehabilitation is completed.

''(2) HISTORIC REHABILITATION MORTGAGE CREDIT CERTIFICATE.—For purposes of this subsection, the term 'historic rehabilitation mortgage credit certificate' means a certificate—

''(A) issued to the taxpayer, in accordance with procedures prescribed by the Secretary, with respect to a certified rehabilitation,

''(B) the face amount of which shall be equal to the credit which would (but for this subsection) be allowable under subsection (a) to the taxpayer with respect to such rehabilitation,

''(C) which may only be transferred by the taxpayer to a lending institution (including a nondepository institution) in connection with a loan—

''(i) that is secured by the building with respect to which the credit relates, and

''(ii) the proceeds of which may not be used for any purpose other than the acquisition or rehabilitation of such building, and

''(D) in exchange for which such lending institution provides to the taxpayer—

''(i) a reduction in the rate of interest on the loan which results in interest payment reductions which are substantially equivalent on a present value basis to the face amount of such certificate, or

''(ii) if the taxpayer so elects with respect to a specified amount of the face amount of such a certificate relating to a building—

''(I) which is a targeted area residence (within the meaning of section 143(j)(1)), or

''(II) which is located in an enterprise community or empowerment zone as designated under section 1391, or a renewal community as designated under section 1400(e),

a payment which is substantially equivalent to such specified amount to be used to reduce the taxpayer's cost of purchasing the building (and only the remainder of such face amount shall be taken into account under clause (i)).

''(3) METHOD OF DISCOUNTING.—The present value under paragraph (2)(D)(i) shall be determined—

''(A) for a period equal to the term of the loan referred to in subparagraph (D)(i),

''(B) by using the convention that any payment on such loan in any taxable year within such period is deemed to have been made on the last day of such taxable year,

''(C) by using a discount rate equal to 65 percent of the average of the annual Federal mid-term rate and the annual Federal long-term rate applicable under section 1274(d)(1) to the month in which the taxpayer makes an election under paragraph (1) and compounded annually, and

''(D) by assuming that the credit allowable under this section for any year is received on the last day of such year.

''(4) USE OF CERTIFICATE BY LENDER.—The amount of the credit specified in the certificate shall be allowed to the lender only to offset the regular tax (as defined in section 55(c)) of such lender. The lender may carry forward all unused amounts under this subsection until exhausted.

''(5) HISTORIC REHABILITATION MORTGAGE CREDIT CERTIFICATE NOT TREATED AS TAXABLE INCOME.—Notwithstanding any other provision of law, no benefit accruing to the taxpayer through the use of a historic rehabilitation mortgage credit certificate shall be included in gross income for purposes of this title.

''(i) RECAPTURE.—

''(1) IN GENERAL.—If, before the end of the 5-year period beginning on the date on which the rehabilitation of the building is completed (or, if subsection (g) applies, the date of purchase of such building by the taxpayer)—

''(A) the taxpayer disposes of such taxpayer's interest in such building, or

''(B) such building ceases to be used as the principal residence of the taxpayer or ceases to be a certified historic structure,

the taxpayer's tax imposed by this chapter for the taxable year in which such disposition or cessation occurs shall be increased by the recapture percentage of the credit allowed under this section for all prior taxable years with respect to such rehabilitation.

''(2) RECAPTURE PERCENTAGE.—For purposes of paragraph (1), the recapture percentage shall be determined in accordance with the table under section 50(a)(1)(B), deeming such table to be amended—

''(A) by striking 'If the property ceases to be investment credit property within—' and inserting 'If the disposition or cessation occurs within—', and

''(B) in clause (i) by striking 'One full year after placed in service' and inserting 'One full year after the taxpayer becomes entitled to the credit'.

''(3) TRANSFER BETWEEN SPOUSES OR INCIDENT TO DIVORCE.—In the case of any transfer described in subsection (a) of section 1041 (relating to transfers between spouses or incident to divorce)—

''(A) the foregoing provisions of this subsection shall not apply, and

''(B) the same tax treatment under this subsection with respect to the transferred property shall apply to the transferee as would have applied to the transferor.

''(j) BASIS ADJUSTMENTS.—For purposes of this subtitle, if a credit is allowed under this section for any expenditure with respect to any property (including any purchase under subsection (g) and any transfer under subsection (h)), the increase in the basis of such property which would (but for this subsection) result from such expenditure shall be reduced by the amount of the credit so allowed.

''(k) PROCESSING FEES.—Any State may impose a fee for the processing of applications for the certification of any rehabilitation under this section provided that the amount of such fee is used only to defray expenses associated with the processing of such applications.

''(l) DENIAL OF DOUBLE BENEFIT.—No credit shall be allowed under this section for any amount for which credit is allowed under section 47.

''(m) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out the purposes of this section, including regulations where less than all of a building is used as a principal residence and where more than 1 taxpayer use the same dwelling unit as their principal residence.''

(b) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 23 of such Code is amended by striking ''and section 1400C'' and inserting ''and sections 25B and 1400C''.

(2) Subparagraph (C) of section 25(e)(1) of such Code is amended by inserting '', 25B,'' after ''sections 23''.

(3) Subsection (d) of section 1400C of such Code is amended by striking ''other than this section)'' and inserting ''other than this section and section 25B)''.

(4) Subsection (a) of section 1016 of such Code is amended by striking ''and'' at the end of paragraph (26), by striking the period at the end of paragraph (27) and inserting '', and'', and by adding at the end the following new item:

''(28) to the extent provided in section 25B(j).''

(c) CLERICAL AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 25A the following new item:

''Sec. 25B. Historic homeownership rehabilitation credit.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to rehabilitations the physical work on which begins after the date of enactment of this Act.

By Mr. DEWINE:

S. 921. A bill to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DEWINE. Mr. President, I rise today to introduce the ''William Howard Taft National Historic Site Boundary Adjustment Act of 2001.'' This legislation would do three things: First, it would authorize the expansion of the historic grounds of the William Howard Taft's childhood home; second it would allow the Secretary of the Interior, through the National Park Service, to swap one section of equal-valued land for another; and third, it would allow the National Park Service to extend the boundary line of the Historic Site.

As you may know, I strongly support the preservation of Presidential Historic Sites. Sadly, a number of these Presidential Historic sites are becoming run down and are in dire need of our help to secure their existence for future generations. These sites are great educational tools for our children. We must ensure their survival. If we don't, we will lose a valuable part of our American history.

That is why I introduced the Presidential Sites Improvement Act last

year and plan to reintroduce it later this year. This legislation is designed to provide grant money for the protection and improvement of Presidential sites, like the William Howard Taft home in Ohio.

President Taft was born in Cincinnati, Ohio, in 1857. He was the son of a distinguished judge and former Ohio Attorney General. Taft graduated from Yale, and then returned to Cincinnati to study and practice law. As my colleagues know, Taft went on to become our 27th U.S. President. He is the only President in U.S. history who went on to become the Chief Justice of the U.S. Supreme Court. In describing his illustrious career as a public servant, Taft once wrote that he always had his ''plate the right side up when offices were falling.''

With the bill I am introducing today, we can make a lasting commitment to future generations by preserving the memory and contributions of our Nation's former leaders. Our children and grandchildren should have the opportunity to understand the richness of our country's history.

Mr. GRASSLEY. Mr. President, last year's Loan Deficiency Payments, LDPs, were made available to producers for crops grown on farms not covered by Production Flexibility Contract, PFC, under the 1996 farm bill. In Iowa there are 6200 farms that do not participate in the farm program. Nonparticipating farms are classified as farms not enrolled in 1996 at the beginning of the program, or farms that changed hands during the farm bill that were not properly re-enrolled.

The Agricultural Risk Protection Act of 2000, which we passed into law last year, furnished LDP's to farmers who produced a 2000 crop contract commodity on a farm not covered by a PFC. Senator NELSON and I are offering legislation to extend this one-year opportunity for producers. Our legislation provides an extension of this opportunity that will run for the remainder of the 1996 farm bill.

Not all of the 6200 non-participating farms will choose to use and benefit from an LDP, but for the family farmers in Iowa who are not in the program, guaranteeing close to $1.78 on corn and $5.26 on soybeans is significant assistance.

With the record low prices Iowa producers have experienced recently, I think that the Federal Government should do everything it can to keep producers on the farm. This by no means solves all their problems, but it helps and it's something we should have done for these individuals on a permanent basis when we provided a one-year opportunity for participation in the LDP program last year. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 923

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF EXPANSION OF PRODUCERS ELIGIBLE FOR LOAN DEFICIENCY PAYMENTS.

Section 135(a)(2) of the Agricultural Market Transition Act (7 U.S.C. 7235(a)(2)) is amended by striking ''the 2000 crop year'' and inserting ''each of the 2000 through 2002 crop years''.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 91—CONDEMNING THE MURDER OF A UNITED STATES CITIZEN AND OTHER CIVILIANS, AND EXPRESSING THE SENSE OF THE SENATE REGARDING THE FAILURE OF THE INDONESIAN JUDICIAL SYSTEM TO HOLD ACCOUNTABLE THOSE RESPONSIBLE FOR THE KILLINGS

Mr. NELSON of Florida (for himself, Mr. FEINGOLD, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 91

Whereas on September 6, 2000, a paramilitary mob in the West Timor town of Atambua killed 3 United Nations aid workers, including United States citizen Carlos Caceres;

Whereas Caceres and the other victims were stabbed and hacked to death with exceptional brutality, and their bodies were then set on fire and dragged through the streets;

Whereas Caceres, an attorney originally from San Juan, Puerto Rico, whose family now resides in the State of Florida, had e-mailed a plea for help saying that ''the militias are on their way'', and that ''we sit here like bait'';

Whereas on May 4, 2001, an Indonesian court in Jakarta meted out only token sentences to the murderers of Carlos Caceres and the other United Nations workers, and failed to allot any punishment whatsoever to the Indonesian military commanders alleged to have sanctioned this attack;

Whereas these token sentences have been condemned as ''wholly unacceptable'' by United Nations Secretary General Kofi Annan, and described by the Department of State as acts that ''call into question Indonesia's commitment to the principle of accountability'';

Whereas the self-confessed killer of Carlos Caceres, a pro-government militia member named Julius Naisama, was sentenced to spend not more than 20 months in jail, and remarked afterwards, ''I accept the sentence with pride'';

Whereas the murders of Carlos Caceres and the other United Nations workers fit a pattern of killings perpetrated or sanctioned by the Indonesian military in Aceh, Irian Jaya, and other parts of Indonesia, both during and since the end of the Suharto regime;

Whereas, despite Indonesian government promises of judicial accountability, since the initiation of democratic rule in Indonesia in 1998, no senior military official has been put on trial for human rights abuses, extrajudicial killings, torture, or incitement to mob violence; and

Whereas the Government of Indonesia could have prevented both the murder of the United Nations workers and the subsequent miscarriage of justice if the Government had—

(1) upheld its explicit commitment, made after the August, 1999 referendum in East Timor, to ensure that Indonesian military forces would safeguard United Nations workers and Timorese refugees from attacks by the paramilitary militias who had killed approximately 1,000 East Timorese civilians in the preceding weeks;

(2) brought charges of murder or manslaughter against the 6 men who proudly admitted to killing the United Nations workers in an unprovoked attack, rather than only the lesser charge of conspiring to foment violence; and

(3) brought charges against senior military commanders who, according to the United Nations, the Department of State, and the Government of Indonesia itself, are suspected of arming and directing the paramilitary militias responsible for the carnage in East Timor: Now, therefore, be it

Resolved, That (a) the Senate—

(1) condemns the brutal murder of Carlos Caceres, a United States citizen;

(2) decries the inadequate sentences given by the Indonesian judicial system to the self-confessed killers of the 3 United Nations aid workers;

(3) calls on the Government of Indonesia to indict and bring to trial the senior military commanders described in a September 1, 2000, statement by the Government of Indonesia itself, as suspects in the mass killings following the August, 1999 East Timor referendum; and

(4) offers condolences to the family, friends, and colleagues of Carlos Caceres and the other victims of the September 6, 2000, attack.

(b) It is the sense of the Senate that—

(1) the President should, at every appropriate meeting with officials of the Government of Indonesia, stress the importance of ending the climate of impunity which shields those individuals, especially senior members of the Indonesian military, suspected of perpetrating, collaborating in, or covering up extra judicial killings, torture, and other abuses of human rights; and

(2) the President should consider the willingness of the Government of Indonesia to make rapid and substantive progress in judicial reform when determining the level of financial support provided by the United States to Indonesia, whether directly or through international financial institutions.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

SENATE RESOLUTION 92—TO DESIGNATE THE WEEK BEGINNING JUNE 3, 2001, AS ''NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK''

Mrs. FEINSTEIN (for herself, Mr. JEFFORDS, Mr. HUTCHINSON, Mr. HELMS, Mr. SARBANES, Mr. VOINOVICH, Mr. DOMENICI, Mr. WARNER, Mr. GRAMM, Mr. HATCH, Mr. THURMOND, Mr. MCCAIN, Mr. BIDEN, Mr. KERRY, Mr. LEVIN, Mr. DODD, Mrs. CLINTON, Mr. CONRAD, Mr. THOMAS, Mr. ROBERTS, Mr. BINGAMAN, Mr. SCHUMER, Mr. GRASSLEY, Mr. FITZGERALD, Mr. BROWNBACK,